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FIDELITY INVESTMENTS
CHARITABLE GIFT FUND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

EMILY FAIRBAIRN and
MALCOLM FAIRBAIRN,

Plaintiffs,

v.

FIDELITY INVESTMENTS
CHARITABLE GIFT FUND,

Defendant.

Case No. 3:18-cv-04881-JSC

NOTICE RE BIFURCATION

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT the parties have met and conferred regarding bifurcation of trial as directed by the Court and hereby agree to bifurcation as suggested by the Court at the September 16, 2020 pretrial conference, including that bifurcation shall not preclude expert witnesses that testify in the first phase, including experts that offer opinions on the existence or non-existence of injury to Plaintiffs, from testifying in the second phase.

DATED: September 23, 2020

Respectfully submitted,

By: /s/ Christopher T. Casamassima

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